

FISCAL NOTE

HB 713 - SB 673

March 30, 2003

SUMMARY OF BILL: Extends the offense of custodial interference to circumstances where a person interferes with the mother's custody of a child born out of wedlock and the mother has custody of a child pursuant to the statutory preference which presumes the mother has custody absent a court order. This provision will allow an unwed mother to file charges of custodial interference regardless of whether there is a court order giving the unwed mother custody of the child. Under current law custodial interference is punished as a Class E felony. If the child is voluntarily returned before the defendant has been arrested, the offense is punished as a Class A misdemeanor.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$5,000/Incarceration*

Assumes one additional Class E felony conviction each year.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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